

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JESSIE (JAY) C. CROSSON,

Plaintiff,

v.

TMF HEALTH QUALITY
INSTITUTE, STEPHEN D. THOMAS,
DEBBIE LOVATO, THOMAS
MANLEY, ABC CORPORATIONS
1-5, and JOHN DOES #1-5,

Defendants.

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1:23-CV-321-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Defendants TMF Health Quality Institute, Stephen D. Thomas, Debbie Lovato, and Thomas Manley's (collectively, "Defendants") Motion to Dismiss, (Dkt. 49). (R. & R., Dkt. 57). Defendants timely filed objections to the report and recommendation. (Objs., Dkt. 58).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Defendants timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Defendants' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 57), is **ADOPTED**.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss, (Dkt. 49), is **DENIED**.

IT IS FINALLY ORDERED that the parties consult the website for the United States District Court for the Western District of Texas (www.txwd.uscourts.gov), the "Judges' Info" tab, "Standing Orders," "Austin Division," and submit a joint proposed scheduling order using District Judge Robert Pitman's form on or before **December 19, 2023**.

SIGNED on November 28, 2023

A handwritten signature in blue ink, appearing to read "Rob Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE